

**ADMINISTRATION & LEGISLATION COMMITTEE  
MINUTES OF SEPTEMBER 8, 2008  
OAKLAND, CA**

Chair Green convened the meeting of the Administration and Legislation Committee at 11:01 AM. The roster of attendance is attached.

**1.0 PLEDGE OF ALLEGIANCE**

**2.0 PUBLIC COMMENT**

There was no public comment.

**3.0 CONSENT CALENDAR**

- 3.1 Minutes of September 8, 2008 Meeting**
- 3.2 Quarterly Investment Report**
- 3.3 Quarterly SBE, LBE and DBE Report**

A motion to approve the consent calendar was made by Haggerty; a second was made by Javandel. The motion passed unanimously.

**4.0 ADMINISTRATIVE MATTERS**

**4.1 FY 2008-09 Budget Update**

Swanson recommended that the Board approve the 1st Quarter budget update for FY 2008-09. He reported that a total of 15 capital projects and one program experienced budget changes during the last three months. Seven projects reduced budgets by a total of \$14,284,132 while eight projects and one program increased their budgets by a total of \$6,446,004. There were also six new projects added to the Capital Improvement Program Budget which totaled \$7,945,000. These combined changes, if approved, would increase the FY 2008-09 Budget by a net addition of \$106,872 over the June 26, 2008 Budget adopted by the Board. A motion to approve staff recommendation was made by Lockhart; a second was made by Haggerty. The motion passed unanimously.

**4.2 Audit Committee**

Swanson informed the Committee that at its July 31, 2008 meeting, Board approved a revision to the Administrative Code which created an Audit Committee. The members of the Committee are: the Board Chair (Mayor Green), the Board Vice Chair (Mayor Johnson), the immediate past Chair of the Board (Supervisor Haggerty), a member of the Administration and Legislation Committee to be appointed by the Chair, and an outside member from the accounting or finance profession serving as staff from a member agency (Richard Digre from Union City). He recommended that the Committee schedule a first meeting of the Audit Committee immediately prior to the ALC meeting on November 10, 2008. Chair Green appointed Vice Chair Harper to the Audit Committee. The Committee scheduled the first meeting of the Audit Committee on November 10, 2008 at 10:30 AM.

**4.3 CMA financial Overview Update**

Swanson reported that in October 2007 he presented a summary of recent financial trends within the CMA as well as opportunities and challenges the Agency faced in delivering a very comprehensive list of transportation projects throughout the County and he recommended quarterly updates on the progress staff has achieved in addressing the financial challenges related to indirect cost recovery and the Agency's ability to finance the cash flow requirements of the projects. This is the third quarterly update. He reported that the financial challenges that CMA is facing are (a) adequate cost recovery of indirect and core

function costs; and (b) adequate capacity to finance project related cash flow requirements. He summarized the progress to date against these financial challenges and presented near term and long term recommendations to address these challenges.

#### **4.4 Board Retreat**

Fay informed the Committee that the Board Retreat is scheduled on December 18, 2008 from 3:00 to 7:00 p.m.. He reported that a facilitator had been interviewed. Parmelee reported that she was currently awaiting confirmation from several possible venues to hold the Retreat.

### **5.0 CONTRACTS, AGREEMENTS & CONSTRUCTION STATUS REPORTS**

#### **5.1 Route 84/Ardenwood Blvd. Park and Ride Project (RM 2 Project 29.5): Authorization to Enter into Project Agreements to Construct Changeable Message Sign (CMS)**

Haas requested the CMA Board to authorize the Executive Director, or his designee, to negotiate and execute all necessary agreements and contracts, not to exceed \$300,000, to prepare the environmental document, preliminary engineering and provide project development services for the Ardenwood Park and Ride Lot Changeable Message Sign (CMS) project located on Route 84 in Fremont. He also informed the Committee that AC Transit has requested and received \$100,000 from BAAQMD's Transportation Fund for Clean Air (TFCA) for this purpose. Additional funding will come from Ardenwood Park & Ride Lot Expansion Project savings. A motion to approve staff recommendation was made by Green; a second was made by Worthington. The motion passed unanimously.

#### **5.2 I-580 Tri-Valley Rapid Transit Corridor Improvements (RM 2 Project 32.1): Authorization to Enter into Project Agreements and Contracts to Construct I-580 Eastbound Auxiliary Lanes**

Akkawi recommended the CMA Board authorize the Executive Director or his designee to negotiate and execute all necessary agreements and contracts to perform project development activities for the I-580 Eastbound Auxiliary Lanes project not to exceed \$1,000,000. He added that project development funding will be allocated from RM 2. A motion to approve staff recommendation was made by Lockhart; a second was made by Haggerty. The motion passed unanimously.

#### **5.3 I-580 Tri-Valley Rapid Transit Corridor Improvements (RM2 Project 32.1): Request Allocation for Preliminary Engineering Phase of Subproject 32.1f: Eastbound I-580 HOT Lane Project**

Akkawi recommended the Board approve the following actions in support of delivering I-580 Tri Valley Rapid Transit Corridor Improvements Subproject 32.1f: Eastbound HOT Lane project: (1) Approve Board Resolution 08-014, required by the Metropolitan Transportation Commission (MTC), requesting allocation of \$500,000 of Regional Measure 2 (RM 2) funds for Preliminary Engineering and approve the updates of the Initial Project Report (IPR) for sub-project 32.1f "Eastbound I-580 HOT Lane" of the I-580 Tri-Valley Rapid Transit Corridor Improvements; (2) Authorize the Executive Director, or his designee, to negotiate and execute all necessary agreements with MTC for the allocation and use of RM2 funds to deliver these two sub-projects; and (3) Authorize the Executive Director, or his designee, to negotiate and execute all necessary agreements and contracts with qualified consultants to prepare the marketing plan and traffic surveys as required by the environmental clearance process for the HOT lane for an amount not to exceed \$500,000. A motion to approve staff recommendation was made by Haggerty; a second was made by Lockhart. The motion passed unanimously.

#### **5.4 I-580 Tri-Valley Rapid Transit Corridor Improvements: (RM 2 Project 32.2) Authorization to Enter into Project Agreements and Contracts to Prepare Feasibility Study and Preliminary Engineering for Westbound High Occupancy Toll (HOT) project**

Akkawi informed the Committee that in support of delivering the I-580 Westbound HOT project, it is recommended that the Board authorize the Executive Director or his designee to negotiate and execute all necessary agreements and contracts with qualified consultant to prepare the Traffic Revenue Report, and Preliminary Engineering for an amount not to exceed \$500,000, which will be funded from the I-580 Corridor Improvements funds. A motion to approve staff recommendation was made by Lockhart; a second was made by Haggerty. The motion passed unanimously.

#### **5.5 I-880/Davis Street Improvements**

Todd recommended the CMA Board approve the following actions in support of delivering the interchange improvements at Davis Street and I-880: (1) Authorize the Executive Director, or his designee, to execute Agreements /Memorandum of Understanding (MOU) relating to the transfer and/or use of a federal earmark secured by the City of San Leandro (City) for improvements related to the Davis Street Interchange; and (2) Authorize the Executive Director, or his designee, to modify existing agreements or to execute an agreement with a new consultant to provide environmental, preliminary engineering and design services to accommodate improvements at the Davis Street Interchange for an amount not to exceed \$750,000. He also informed the Committee that the CMA is assisting the City of San Leandro in the delivery of this project. Project costs will be funded through a \$600,000 federal earmark and \$150,000 local match. A motion to approve staff recommendation was made by Green; a second was made by Worthington. The motion passed unanimously.

#### **5.6 San Pablo Avenue Corridor Improvements Project: Construction Status Report**

Yarjani informed the Committee that the CMA's adopted Construction Administration Guide requires that a quarterly construction status report be provided to the Administration and Legislation Committee. He recommended the Board review and approve the Construction Contract Progress Report for activities through September 30, 2008. A motion to approve staff recommendation was made by Lockhart; a second was made by Harper. The motion passed unanimously.

#### **5.7 Grand MacArthur Corridor Transit Enhancements Project: Construction Status Report**

Yarjani informed the Committee that the CMA's adopted Construction Administration Guide requires that a quarterly construction status report be provided to the Administration and Legislation Committee. He recommended the Board review and approve the Construction Contract Progress Report for activities through September 30, 2008. A motion to approve staff recommendation was made by Harper; a second was made by Javandel. The motion passed unanimously.

#### **5.8 Route 84/Ardenwood Blvd. Park and Ride Project: Construction Status Report**

Haas informed the Committee that the CMA's adopted Construction Administration Guide requires that a quarterly construction status report be provided to the Administration and Legislation Committee. He recommended that the Board review and approve the Quarterly Construction Status Report for activities through September 30, 2008. He also added that groundbreaking for this project is scheduled on October 17, 2008 at 10:30 a.m. and invited the members to the said event. A motion to approve staff recommendation was made by Harper; a second was made by Chiang. The motion passed unanimously.

### **6.0 LEGISLATION/PUBLIC AFFAIRS**

#### **6.1 Sacramento Report**

Fay updated the Committee on the following bills that were vetoed and signed by the Governor: (a) AB 3021 (Nava) was vetoed and he discussed its implications on bonding against the STIP; (b) SB 286 (Lowenthal) was signed; (c) SB 375 (Steinberg) was signed but requested clean-up legislation to address some issues; (d) SB 791 (Corbett) was signed and this bill creates a separate code section for Route 84 and allows proceeds from the sale of excess Caltrans property on Route 84 to be used for local projects if

approved by Caltrans; (e) SB 974 (Lowenthal) was vetoed but Port of Oakland plans to impose a fee on every container processed at the Ports of Oakland; and (f) SB 1731 (Yee) was vetoed.

## **6.2 Washington, DC Report**

Fay discussed the CMA's Washington, DC representative's legislative update. He informed the Committee that Speaker Pelosi intends to pursue a second stimulus package.

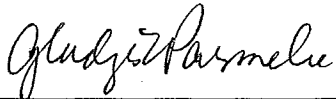
## **7.0 STAFF AND COMMITTEE MEMBER REPORTS**

There were no reports.

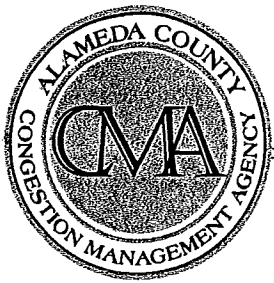
## **8.0 ADJOURNMENT/NEXT MEETING: SEPTEMBER 8, 2008**

Chair Green adjourned the Committee until Monday, November 10, 2008 at 11:00 a.m. at the CMA Committee Meeting Room.

Attest By:



Gladys V. Parmelee, Board Secretary



# ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY

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## ADMINISTRATION AND LEGISLATION COMMITTEE MEETING ROSTER OF MEETING ATTENDANCE

October 13, 2008

ACCMA Committee Meeting Room  
1333 Broadway, Suite 220, Oakland CA 94612

MEMBERS	Initials	ALTERNATES	Initials
Mark Green, Chair – City of Union City	<i>MG</i>		
Greg Harper, Vice Chair – AC Transit	<i>GH</i>	Rebecca Kaplan - AC Transit	
Scott Haggerty – County of Alameda	<i>SH</i>		
Councilmember John Chiang – City of Piedmont	<i>JC</i>		
Farid Javandel – City of Albany	<i>FJ</i>		
Marshall Kamena – City of Livermore		Marjorie Leider – City of Livermore	
Janet Lockhart - City of Dublin	<i>Janet Lockhart</i>	Jennifer Hosterman – City of Pleasanton	
Nate Miley – County of Alameda	<i>NM</i>		
Larry Reid – City of Oakland			
Kriss Worthington – City of Berkeley	<i>KW</i>		

CMA STAFF	Initials	CMA STAFF & CONSULTANTS	Initials
Dennis Fay, Executive Director	<i>DF</i>	Gladys Parmelee – Exec Asst & Board Secretary	<i>GP</i>
Frank Furger, Chief Deputy Director	<i>FF</i>	Liz Brazil – Contracts Administrator	
Dick Swanson, Director of Finance & Admin.	<i>DS</i>	Steve Haas – Senior Transportation Engineer	
Yvonne Chan – Accounting Manager		John Hemiup - Senior Transportation Engineer	
Christina Muller – Manager of Admin & H.R.		Vivek Bhat - Assoc. Transportation Engineer	
Cyrus Minoofar - Manager of ITS		Jacki Taylor – Engineering Assistant	
Matt Todd - Manager of Programming		Laurel Poeten - Engineering Assistant	
Ray Akkawi – Manager of I-580 Corridor			
Beth Walukas – Manager of Planning			
Diane Stark, Senior Transportation Planner			
Saravana Suthanthira, Senior Trans. Planner		Zack Wasserman – WRBD	<i>ZW</i>
Bijan Yarjani – Senior Transportation Engr.		Neal Parish - WRBD	<i>NP</i>

	NAME	JURISDICTION/ ORGANIZATION	PHONE #	E-MAIL
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3.	Arul Edwin	ACCMA	408 410 6036	aedwin@accma.ca.gov
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5.	Ma H Todd	"		
6.	Bijan Yargan	ACCMA	510 350-2328	byargan@accma.ca.gov
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